

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LOUIS ACOSTA,

Plaintiff,

v.

JOHN DOE 1, et al.,

Defendants.

Case No. 1:20-cv-01209-EPG (PC)

ORDER DIRECTING SERVICE OF
SUBPOENA BY THE UNITED STATES
MARSHALS SERVICE WITHOUT
PREPAYMENT OF COSTS

(ECF No. 17)

ORDER DIRECTING CLERK TO ATTACH
COPY OF SUBPOENA TO THIS ORDER

The Court previously allowed Plaintiff to issue a subpoena to the California Department of Corrections and Rehabilitation. (ECF No. 16, p. 9). Plaintiff has now completed and returned the subpoena and USM-285 form. (ECF No. 17).

As the response date listed by Plaintiff in the subpoena has already passed, the Court will extend the response date. The Court will give the California Department of Corrections and Rehabilitation twenty-one days from the date of service of the subpoena to respond to the subpoena.

Accordingly, it is HEREBY ORDERED that:

1. The California Department of Corrections and Rehabilitation has TWENTY-ONE (21) DAYS from the date of service of the subpoena to respond to the subpoena.
2. The Clerk of Court shall forward the following documents to the United States

Marshals Service:

- a. One (1) completed and issued subpoena *duces tecum*;
 - b. One (1) completed USM-285 form; and
 - c. Two (2) copies of this order, one to accompany the subpoena and one for the United States Marshals Service.
3. The Clerk of Court is directed to attach a copy of the completed subpoena *duces tecum* to this order.
 4. Within TWENTY (20) DAYS from the date of this order, the United States Marshals Service SHALL effect personal service of the subpoena, along with a copy of this order, upon the California Department of Corrections and Rehabilitation pursuant to Rule 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c).
 5. The United States Marshals Service is DIRECTED to retain a copy of the subpoena in its file for future use.
 6. Within TEN (10) DAYS after personal service is effected, the United States Marshals Service SHALL file the return of service.

IT IS SO ORDERED.

Dated: March 8, 2021

/s/ Eric P. Grogg
UNITED STATES MAGISTRATE JUDGE